

STATE OF NEVADA  
DEPARTMENT OF BUSINESS AND INDUSTRY  
DIVISION OF MORTGAGE LENDING

Before the Commissioner of the Division of Mortgage Lending

In the Matter of:

DESIGN FINANCIAL

and

MARK E. HAMLIN

Mortgage Broker License No. 16

Respondent.

Order No.: 2013-05

Case No.: 2013-07

CONSENT ORDER  
TO CEASE AND DESIST VIOLATING NRS 645B  
AND  
TO PAY ADMINISTRATIVE FINE

Issued and Entered,  
This 26th day of July, 2013,  
By James Westrin,  
Commissioner

The Commissioner of the State of Nevada, Department of Business and Industry, Division of Mortgage Lending (the "Commissioner") having been statutorily charged with the responsibility and authority to administer and enforce Chapter 645B of the Nevada Revised Statutes, NRS 645B.010 et seq., and Chapter 645B of the Nevada Administrative Code, NAC 645B.001 et seq., (collectively, the "Act") governing the licensing and conduct of mortgage broker and mortgage agents in the State of Nevada; and,

The Commissioner having been granted general supervisory power and control and administrative enforcement authority over all mortgage brokers and mortgage agents doing business in the State of Nevada pursuant to the Act; and,

1 Design Financial ("Respondent"), a domestic corporation organized under the laws of the State  
2 of Nevada, having been licensed as a mortgage broker pursuant to NRS 645B at all times relevant to  
3 this matter and, therefore, subject to the jurisdiction and supervision of the Commissioner; and,

4 The Commissioner having determined, from investigation of the Respondent and review of the  
5 files and records of the Division of Mortgage Lending (the "Division"), that Respondent failed to  
6 comply with requirements of the Act. Namely, the investigation revealed that:

7 a. Contrary to the requirements of NRS 645B.080(2), Respondent has failed or refused to  
8 timely file with the Commissioner a report which provides the volume of loans arranged by the  
9 mortgage broker in the immediately preceding month (hereinafter, the "monthly activity report") for the  
10 month(s) of August 2012, September 2012, October 2012, November 2012, December 2012, January  
11 2013, February 2013 and March 2013.

12 b. Respondent's history of not filing monthly activity reports timely was cited in  
13 Respondent's September 18, 2012 examination report. In a letter to the Division dated October 18,  
14 2012, Respondent stated there was no excuse for this violation and represented that Respondent would  
15 make it a priority to comply with the reporting requirement.

16 c. Despite Respondent's representations made in response to the draft examination report,  
17 Respondent continues to file late monthly activity reports. Specifically, since Respondent's  
18 representation, Respondent has been delinquent in filing its monthly activity report for November 2012,  
19 December 2012, January 2013, February 2013, and March 2013; and,

20 The Commissioner having served upon Respondent on or about May 14, 2013, a Notice of  
21 Intent to Impose Administrative Fine and Notice of Opportunity For Hearing; and,

22 Respondent having thereafter expressed a desire to cooperate with the Division, and to avoid the  
23 time and expense involved in a formal administrative enforcement hearing; and,

24 The Division and Respondent having conferred concerning this matter and determined to resolve  
25 this matter pursuant to the following terms:

26 1. Respondent agrees to CEASE AND DESIST from any violation of NRS 645B, as set  
27 forth above  
28

1           2. Respondent agrees to submit monthly activity reports timely as required by NRS  
2 645B.080(2);

3           3. Respondent agrees to pay to the Division, upon the entry of this order, an  
4 ADMINISTRATIVE FINE in the amount of \$1,000.00; and,

5           Respondent having knowingly and voluntarily affixed its signatures to the attached  
6 VOLUNTARY CONSENT TO ENTRY OF CONSENT ORDER, incorporated herein by this reference,  
7 has consented to the issuance of this CONSENT ORDER TO CEASE AND DESIST VIOLATING  
8 NRS 645B AND TO PAY ADMINISTRATIVE FINE (the "Order") with the intent to be legally bound  
9 hereby, and has waived and relinquished any and all rights that RESPONDENT may now or hereafter  
10 have to an administrative hearing in this matter or to judicial review of, or otherwise challenge or  
11 contest, the entry of this Order; and,

12           Respondent having had opportunity to consult with legal counsel of its choosing concerning this  
13 matter; and,

14           The Commissioner having determined that the terms of this ORDER are a reasonable resolution  
15 of this matter and in the public interest.

16           NOW, THEREFORE, IT IS HEREBY ORDERED that:

17           1. Respondent shall immediately CEASE AND DESIST from violating NRS 645B, and  
18 shall, henceforth, timely file its monthly activity reports in accordance with NRS 645B.080(2).

19           2. RESPONDENT shall pay to the Division, an ADMINISTRATIVE FINE in the amount  
20 of \$1,000.00 upon the entry of this order.

21           3. This Order shall be and is effective and enforceable on the date that it is issued, as shown  
22 in the caption hereof.

23           4. This Order shall remain effective and enforceable until terminated, modified, set aside,  
24 or suspended in writing by the Commissioner.

25           5. The Commissioner specifically retains jurisdiction over the matters contained herein and  
26 has the authority to issue such further order(s) as he shall deem just, necessary, and appropriate to  
27 enforce the provisions of NRS 645B.010 et seq. and protect the public.

IT IS SO ORDERED.

DIVISION OF MORTGAGE LENDING

By.   
JAMES WESTRIN, COMMISSIONER

STATE OF NEVADA  
DEPARTMENT OF BUSINESS AND INDUSTRY  
DIVISION OF MORTGAGE LENDING

Before the Commissioner of the Division of Mortgage Lending

In the Matter of:

DESIGN FINANCIAL

and

MARK E. HAMLIN

Mortgage Broker License No. 16

Respondent.

VOLUNTARY CONSENT TO ENTRY OF  
COMMISSIONER'S ORDER

By affixing my signature hereto, I, MARK E. HAMLIN, in my individual capacity and as the sole officer, director and shareholder of DESIGN FINANCIAL, hereby knowingly and voluntarily, with the intent to be legally bound thereby, consent to the attached Commissioner's ORDER TO CEASE AND DESIST VIOLATING NRS 645B AND TO PAY AN ADMINISTRATIVE FINE (the "ORDER") in this matter, and further, in consideration of the terms and conditions set forth therein:

1. I acknowledge that I have had the opportunity to retain an attorney to review this VOLUNTARY CONSENT and the attached ORDER.

2. I knowingly and voluntarily waive the right to an administrative hearing in this matter.

3. I knowingly and voluntarily waive and give up any and all right that I, or DESIGN FINANCIAL, may now or hereafter have to administrative or judicial review concerning, or to otherwise challenge or contest, the entry of the attached ORDER.

4. I agree to fully comply with each and every provision of the attached ORDER.

1           5. I understand that if I fail to fully comply with each and every provision of the attached  
2 ORDER, the Commissioner retains jurisdiction to issue such further order(s) as he may deem just,  
3 necessary and appropriate in accordance with NRS 645B.

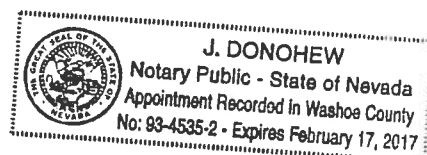
4           6. I, my heirs, executors, administrators, successors, and assigns, hereby releases, remises,  
5 and forever discharges the State of Nevada, the Department of Business and Industry of the State of  
6 Nevada, the Division, and each of their members, agents, attorneys (including any and all employees of  
7 the Nevada Attorney General), and employees in their individual and representative capacities, from any  
8 and all manner of actions, causes of action, suits, debts, judgments, executions, claims, and demands  
9 whatsoever, known and unknown, in law or equity, that Respondent ever had, now has, may have, or  
10 claim to have against any or all of the persons or entities named in this section, arising out of or by  
11 reason of the Division's examination of the Respondent, and all other matters relating thereto.


12           7. I hereby indemnify and hold harmless the State of Nevada, the Department of Business  
13 and Industry of the State of Nevada, the Division, and each of their members, agents, and employees,  
14 and employees of the Nevada Attorney General in their individual and representative capacities against  
15 any and all claims, suits, and actions brought against said persons and/or entities by reason of the  
16 Division's examination of Respondent, this Voluntary Consent and attached Order, and all other matters  
17 relating thereto, and against any and all expenses, damages, and costs, including court costs and attorney  
18 fees, which may be sustained by the persons and/or entities named in this matter as a result of said  
19 claims, suits, and actions.

20           7/24/13  
21 Dated

  
21 MARK E. HAMLIN

22 Subscribed and sworn to before me on this 24th day of July, 2013



  
Notary Public  
In and for the county of Washoe  
Nevada  
My commission expires 2/17/17

CERTIFICATE OF SERVICE

I certify that I am an employee of the State of Nevada, Department of Business and Industry,  
Division of Mortgage Lending, and that on, July 29th, 2013, I deposited in the U.S. mail,  
postage prepaid via First Class Mail and Certified Return Receipt Requested, a true and  
correct copy of the fully executed CONSENT ORDER for DESIGN FINANCIAL and MARK E.  
HAMLIN, addressed as follows:

Mark E. Hamlin  
Design Financial  
6119 Ridgeview Court, Suite 500  
Reno, NV 89519

Certified Receipt Number: 7009 2250 0001 8861 2108

DATED this 26<sup>th</sup> day of July, 2013

By: Susan Slack  
Employee of the Division